

#5322

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

JAMES PERRY HALE,

Plaintiff,

-vs-

Case No. CIV-86-C-956-C

DIRECTOR OF D.O.C. LARRY MEACHUM,  
ASSISTED, WARDEN MICHEAL WATSON,  
GARY HUDSON, DAN CLARK, DANIEL  
CRAMER, MAJOR RUNYON,  
H.D. SAPPINGTON, LT. RANDLE and  
OFFICER FEWELL,

Defendant.

FILED

MAY 7 1987


Jack C. Silver, Clerk  
U.S. DISTRICT COURT

*Notice of*  
DISMISSAL WITHOUT PREJUDICE

COMES NOW the Plaintiff, JAMES PERRY HALE, and dismisses  
the above captioned and numbered cause as to the Defendant, LARRY  
MEACHUM, without prejudice to HIS right to re-file the same, at  
the cost of the Plaintiff.

JAMES PERRY HALE, Plaintiff

By:

  
CAMERON W. MARTIN  
Attorney for Plaintiff  
P. O. Box 787  
Sallisaw, Oklahoma 74955

CERTIFICATE OF MAILING

I, CAMERON W. MARTIN, hereby certify that on this 6<sup>th</sup>  
day of May, 1987, I mailed a true and correct copy of the above  
and foregoing Dismissal Without Prejudice to Mr. Larry Meachum,  
with sufficient postage thereon.

  
CAMERON W. MARTIN

*Law Office  
Harry Campbell  
Attorney at Law - P. O. Box 101  
Sallisaw, Oklahoma 74955*

H. DALE COOK  
Chief Judge, U. S. District Court

FILED

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

MAY -7 1987


JACK D. SILVER, CLERK  
U.S. DISTRICT COURT


UNIVERSAL NOLIN, )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
JIM L. TREAT and )  
SHIRLEY D. TREAT, )  
 )  
Defendants. )

Case No. 85-C-330-E

STIPULATION OF DISMISSAL WITH PREJUDICE

The plaintiff and the defendants, through their respective attorneys, hereby stipulate that the within action may be dismissed, pursuant to Rule 41, Federal Rules of Civil Procedure, with prejudice to the filing of any future action by plaintiff.

  
JOHN J. LOVE, of the Firm  
McCLELLAND, COLLINS, BAILEY,  
BAILEY & MANCHESTER  
1100 Colcord Building  
Oklahoma City, Oklahoma 73102  
(405) 235-9371  
ATTORNEY FOR PLAINTIFF

  
JERRY REED  
Post Office Box 700239  
Tulsa, Oklahoma 74170-0239  
(918) 481-0023  
ATTORNEY FOR DEFENDANTS  
OBA #7464

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED

MAY 7 1987

GAS MART COMPANY and  
L & B INDUSTRIES, INC.,

Plaintiffs,

vs.

CENTRAL BANK & TRUST COMPANY,  
formerly SUNBELT BANK & TRUST  
COMPANY and formerly REPUBLIC  
BANK & TRUST COMPANY, an  
Oklahoma State Bank Association,

Defendant.

John C. Sherr, Clerk  
U.S. DISTRICT COURT

Case No. 86-C-965-E

ORDER SUSTAINING DEFENDANT'S MOTION TO DISMISS

On January 26, 1987, Defendant filed herein its Motion to Dismiss plaintiffs' Complaint and its Brief in support of such Motion. As of this date, Plaintiffs have not filed their memorandum in opposition to the motion nor sought an extension of time in which to do so. Plaintiffs' failure to oppose Defendant's Motion within such time constitutes its confession of the motion under Local Court Rule 14(a).

By reason of all of which Defendant's Motion to Dismiss plaintiffs' Complaint is hereby sustained and Plaintiffs' Complaint is hereby dismissed.

DATED this 6<sup>th</sup> day of March, 1987.

ST. JAMES C. HILSON

UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

FILED

MAY -7 1987

JACQUELINE SILVER, CLERK  
U.S. DISTRICT COURT

BADGER METER, INC.,

Plaintiff,

vs.

STOCKDALE, INC.,

Defendant.

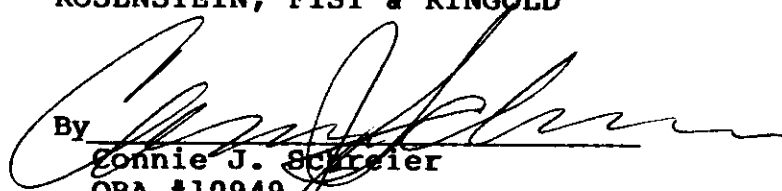
No. 83-C-685-C

STIPULATION OF DISMISSAL WITH PREJUDICE

The plaintiff, Badger Meter, Inc., and the defendant, Stockdale, Inc., announce to the Court that they have completed a settlement of the controversies out of which this action arose, and stipulate to the dismissal of this action with prejudice, pursuant to Fed. R. Civ. P., Rule 41(a).

ROSENSTEIN, FIST & RINGOLD

By

  
Connie J. Schreier  
OBA #10949

525 S. Main, Suite 300  
Tulsa, OK 74103  
(918) 585-9211

Attorneys for Badger Meter,  
Inc.

and

BOESCHE, McDERMOTT & ESKRIDGE

By

  
David R. Whitaker

100 W. 5th St., Suite 800  
Tulsa, OK 74103  
(918) 583-1777

Attorneys for Stockdale, Inc.

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED

MAY 7 1987

Jack C. Silver, Clerk  
U.S. DISTRICT COURT

HINTON L. FISHER,

Plaintiff,

vs.

No. 85-C-245-E

CITY OF TULSA, OKLAHOMA

a municipal corporation;

ROBERT DICK, Chief of Police

for the City of Tulsa; and

DAN ALLEN, a police officer

employed by the City of Tulsa)

Defendants.

JUDGMENT

This action came on before the Court, the Honorable  
James O. Ellison, District Judge, presiding, and the issues  
having been duly heard and decisions having been duly rendered,

IT IS ORDERED AND ADJUDGED that the Defendants City of  
Tulsa and Robert Dick recover judgment of the Plaintiff Hinton L.  
Fisher on Plaintiff's complaint.

DATED this 7<sup>th</sup> day of May, 1987.

S/ JAMES O. ELLISON

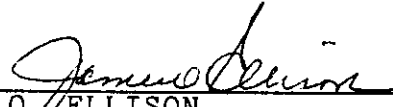
James O. Ellison  
UNITED STATES DISTRICT JUDGE



amount in controversy would be quickly consumed by the attorneys' fees of the parties litigating the matter.

Accordingly, the Court hereby dismisses without prejudice the counterclaim of Defendant General American Life Insurance Company against the Plaintiff, Carroll F. Potter.

DATED this 5<sup>th</sup> day of May, 1987.

  
\_\_\_\_\_  
JAMES O. ELLISON  
UNITED STATES DISTRICT JUDGE



UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OKLAHOMA

MATLOCK ROSE, INC., a Texas  
Corporation,

Plaintiff,

v.

MIKE MARTIN, an individual,  
and MIKE MARTIN, dba MIKE  
MARTIN QUARTERHORSES,

Defendants.

Case No. 86-C-928 E

FILED

MAY 6 1987

Jack C. Silver, Clerk  
U.S. DISTRICT COURT

JOURNAL ENTRY OF DEFAULT JUDGMENT

This cause came on for hearing on the Motion of Plaintiff, Matlock Rose, Inc. in the above-entitled cause for a default judgment pursuant to Rule 55(b)(2) of the Federal Rules of Civil Procedure. The Court finds that:

1. On October 8, 1986, the above-styled case was instituted and summons were issued.
2. The Defendants, Mike Martin, an individual, and Mike Martin, dba Mike Martin Quarterhorses, were subsequently served by certified mail, restricted delivery, return receipt requested on October 20, 1986.
3. The said Defendants, so served, were required to answer or otherwise defend on or before November 10, 1986.
4. The said Defendants have failed to answer or otherwise defend as to the Plaintiff's complaint, or serve a copy of any answer or other

defense which they might have had, upon Robert A. Miller, attorney of record for said Plaintiff.

5. Default was entered by the Clerk of the United States District Court for the Northern District of Oklahoma on January 5, 1987.

The Court, having considered the record in this case and having reviewed the pleadings, finds that Plaintiff is entitled to judgment and hereby grants Plaintiff the relief prayed for in its complaint against each of the Defendants, Mike Martin, an individual, and Mike Martin, dba Mike Martin Quarterhorses.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the Plaintiff, Matlock Rose, Inc., have judgment against the Defendants in the aggregate sum of each of the amounts hereinafter set forth:

(a) The balance of the account amounting to \$10,397.50.

(b) Accrued interest from the 24th day of April, 1986, through the 8th day of April, 1987, at a rate of 18 percent per annum in the amount of \$1,789.51.

(c) Per diem interest of \$5.13 per day thereafter through the date of judgment in the amount of 18 percent per annum.

(d) Interest accruing subsequent to the date of judgment at the post judgment rate of 6.04% per annum until payment of all sums herein ordered to be paid.

(e) An attorney's fee in a sum equal to 2,700.<sup>00</sup> and for the costs of this action to be taxed by the Court Clerk.

DATED this 5<sup>th</sup> day of May, 1987.

S/ JAMES O. ELISON

---

United States District Judge

APPROVED:

Matlock Rose, Inc.,  
Plaintiff

/s/ Robert A. Miller

Robert A. Miller  
Attorney for Plaintiff  
Crabtree and Miller  
1610 City Place  
Oklahoma City, Oklahoma 73102  
Telephone: (405) 272-0881

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

RONALD D. CHOATE; LaHONDA E.  
CHOATE; COUNTY TREASURER,  
Nowata County, Oklahoma; and  
BOARD OF COUNTY COMMISSIONERS,  
Nowata County, Oklahoma,

Defendants.

FILED

MAY 6 1987

Jack C. Silver, Clerk  
U.S. DISTRICT COURT

CIVIL ACTION NO. 86-C-1008-E

JUDGMENT OF FORECLOSURE

This matter comes on for consideration this 6<sup>th</sup> day  
of May, 1987. The Plaintiff appears by Layn R.  
Phillips, United States Attorney for the Northern District of  
Oklahoma, through Nancy Nesbitt Blevins, Assistant United States  
Attorney; the Defendants, County Treasurer, Nowata County,  
Oklahoma, and Board of County Commissioners, Nowata County,  
Oklahoma, appear by Frank W. Rollow, Assistant District Attorney,  
Nowata County, Oklahoma; and the Defendants, Ronald D. Choate and  
LaHonda E. Choate, appear not, but make default.

The Court being fully advised and having examined the  
file herein finds that the Defendants, Ronald D. Choate and  
LaHonda E. Choate, were served with a Summons and Complaint on  
March 17, 1987; that Defendant, County Treasurer, Nowata County,  
Oklahoma, acknowledged receipt of Summons and Complaint on  
November 19, 1986; and that Defendant, Board of County  
Commissioners, Nowata County, Oklahoma, acknowledged receipt of  
Summons and Complaint on November 17, 1986.

It appears that the Defendants, County Treasurer, Nowata County, Oklahoma, and Board of County Commissioners, Nowata County, Oklahoma, filed their Answer herein on April 27, 1987; and that the Defendants, Ronald D. Choate and LaHonda E. Choate, have failed to answer and their default has therefore been entered by the Clerk of this Court.

The Court further finds that this is a suit based upon a certain mortgage note and for foreclosure of a mortgage securing said mortgage note upon the following described real property located in Nowata County, Oklahoma, within the Northern Judicial District of Oklahoma:

Lot 6 in Block 2, in McConkey Addition to the Town of Lenapah, Oklahoma.

The Court further finds that on November 22, 1978, the Defendants, Ronald D. Choate and LaHonda E. Choate, executed and delivered to the United States of America, acting through the Farmers Home Administration, their promissory note in the amount of \$28,000.00, payable in monthly installments, with interest thereon at the rate of eight and one-half percent (8.5%) per annum.

The Court further finds that as security for the payment of the above-described note, the Defendants, Ronald D. Choate and LaHonda E. Choate, executed and delivered to the United States of America, acting through the Farmers Home Administration, a mortgage dated November 22, 1978, covering the above-described property. Said mortgage was recorded on November 22, 1978, in Book 501, Page 330, in the records of Nowata County, Oklahoma.

The Court further finds that the Defendants, Ronald D. Choate and LaHonda E. Choate, made default under the terms of the aforesaid note and mortgage by reason of their failure to make the monthly installments due thereon, which default has continued, and that by reason thereof the Defendants, Ronald D. Choate and LaHonda E. Choate, are indebted to the Plaintiff in the principal sum of \$26,301.95, plus accrued interest in the amount of \$2,521.96 as of August 20, 1986, plus interest accruing thereafter at the rate of \$6.1251 per day until judgment, plus interest thereafter at the legal rate until fully paid, and the costs of this action accrued and accruing.

The Court further finds that the Defendant, County Treasurer, Nowata County, Oklahoma, has a lien on the property which is the subject matter of this action by virtue of ad valorem taxes in the amount of \$197.79, plus penalties of \$11.87 to equal \$209.66, for the year of 1986. Said lien is superior to the interest of the Plaintiff, United States of America.

The Court further finds that the Defendant, County Treasurer, Nowata County, Oklahoma, has a lien on the property which is the subject matter of this action by virtue of personal property taxes in the amount of \$23.97, plus penalties of \$15.75 to equal \$39.72 which became a lien on the property as of 1985 and by virtue of personal property taxes in the amount of \$23.25, plus penalties of \$11.40 to equal \$34.65 which became a lien on the property as of 1986. Said liens are inferior to the interest of the Plaintiff, United States of America.

The Court further finds that the Defendant, Board of County Commissioners, Nowata County, Oklahoma, claims no right, title, or interest in the subject real property.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the Plaintiff have and recover judgment against the Defendants, Ronald D. Choate and LaHonda E. Choate, in the principal sum of \$26,301.95, plus accrued interest in the amount of \$2,521.96 as of August 20, 1986, plus interest thereafter at the rate of \$6.1251 per day until judgment, plus interest thereafter at the current legal rate of 6.30 percent per annum until paid, plus the costs of this action accrued and accruing, plus any additional sums advanced or to be advanced or expended during this foreclosure action by Plaintiff for taxes, insurance, abstracting, or sums for the preservation of the subject property.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Defendant, County Treasurer, Nowata County, Oklahoma, have and recover judgment in the amount of \$197.79, plus penalties of \$11.87 to equal \$209.66, for ad valorem taxes for the year of 1986, plus the costs of this action.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Defendant, County Treasurer, Nowata County, Oklahoma, have and recover judgment in the amount of \$23.97, plus penalties of \$15.75 to equal \$39.72 for personal property taxes for the year of 1985 and in the amount of \$23.25, plus penalties of \$11.40 to equal \$34.65 for personal property taxes for the year of 1986, plus the costs of this action.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that upon the failure of said Defendants, Ronald D. Choate and LaHonda E. Choate, to satisfy the money judgment of the Plaintiff herein, an Order of Sale shall be issued to the United States Marshal for the Northern District of Oklahoma, commanding him to advertise and sell with appraisement the real property involved herein and apply the proceeds of the sale as follows:

First:

In payment of the costs of this action accrued and accruing incurred by the Plaintiff, including the costs of sale of said real property;

Second:

In payment of the Defendant, County Treasurer, Nowata County, Oklahoma, in the amount of \$197.79, plus penalties of \$11.87 to equal \$209.66, for ad valorem taxes which are presently due and owing on said real property;

Third:

In payment of the judgment rendered herein in favor of the Plaintiff.

Fourth:

In payment of the Defendant, County Treasurer, Nowata County, Oklahoma, in the amount of \$23.97, plus penalties of \$15.75 to equal \$39.72 for 1985 personal property taxes



and \$23.25, plus penalties of \$11.40 to equal  
\$34.65 for 1986 personal property taxes which  
are currently due and owing.

The surplus from said sale, if any, shall be deposited with the  
Clerk of the Court to await further Order of the Court.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that from  
and after the sale of the above-described real property, under  
and by virtue of this judgment and decree, all of the Defendants  
and all persons claiming under them since the filing of the  
Complaint, be and they are forever barred and foreclosed of any  
right, title, interest or claim in or to the subject real  
property or any part thereof.

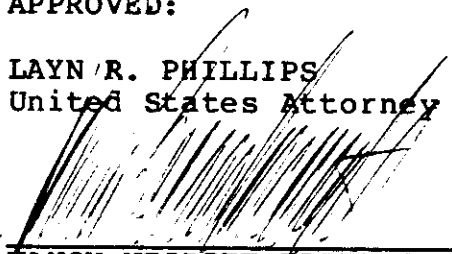
**S/ JAMES O. ELLISON**


---

UNITED STATES DISTRICT JUDGE

APPROVED:

LAYN R. PHILLIPS  
United States Attorney

*Per*   
NANCY NESBITT BLEVINS  
Assistant United States Attorney

  
FRANK W. ROLLOW  
Assistant District Attorney  
Nowata County Courthouse  
Nowata, OK 74048  
Attorney for Defendants,  
County Treasurer and  
Board of County Commissioners,  
Nowata County, Oklahoma

IN THE UNITED STATES DISTRICT COURT FOR THE **F I L E D**  
NORTHERN DISTRICT OF OKLAHOMA

MAY 6 1987

THE AMERICAN NATIONAL BANK )  
OF BAXTER SPRINGS, a national )  
banking association, )

Plaintiff, )

vs. )

BOB LEGGETT, an individual, )

Defendant. )

Jack C. Silver, Clerk  
U.S. DISTRICT COURT

Case No. 87-C-119-E

JUDGMENT BY DEFAULT

Defendant, Bob Leggett, has been served with process. He has failed to appear and answer the Plaintiff's Complaint filed herein. The default of Defendant, Bob Leggett, has been entered. It appears from the Affidavits on file herein that the Plaintiff is entitled to judgment.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Plaintiff have judgment against the Defendant, Bob Leggett, for:

COUNT 1: \$24,847.69 for principal and interest as of February 4, 1987, with interest continuing at the rate of \$9.16 per day until paid; and

COUNT 2: \$6,516.72 for principal and interest as of March 6, 1987, with interest continuing thereafter at the rate of 15%

UNITED STATES DISTRICT COURT *Ju D6E*  
~~CLERK~~ FOR THE NORTHERN DISTRICT  
OF OKLAHOMA

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED

MAY 6 1987

Jack C. Silver, Clerk  
U.S. DISTRICT COURT

INDUSTRIAL ELECTRONICS REPAIR, )  
INC., )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
COMBOTRONICS, INC., et al., )  
 )  
Defendants, )  
 )  
vs. )  
 )  
RICHARD YOUNG, )  
 )  
Third-Party Defendant. )

No. 84-C-279-E

JUDGMENT

This action came on for trial before the Court, Honorable James O. Ellison, District Judge, presiding, and the issues having been duly heard and a decision having been duly rendered,

IT IS THEREFORE ORDERED that Defendant Combotronics, Inc. recover judgment against the Plaintiff, Industrial Electronics Repair, Inc. on the Plaintiff's claim that Patent No. 4,042,149 is invalid, and the validity of the patent is specifically upheld; that Defendant Combotronics, Inc. and Defendant John M. Kerr recover judgment against the Plaintiff on Plaintiff's claim for unfair competition; that Defendant Combotronics, Inc. recover judgment against the Plaintiff on Plaintiff's claim for false marking of an unpatented article.

IT IS FURTHER ORDERED AND ADJUDGED that the Plaintiff, Industrial Electronics Repair, Inc. recover judgment against Defendant Combotronics, Inc. on its claim of patent infringement.


IT IS FURTHER ORDERED AND ADJUDGED that Plaintiff,

Industrial Electronics Repair, Inc. and Third-Party Defendant Richard Young recover judgment against Defendant Combotronics, Inc. on its claim for unfair competition.

IT IS FURTHER ORDERED that a permanent injunction is entered by separate order herein in favor of the Plaintiff, Industrial Electronics Repair, Inc., and against the Defendant, Combotronics, Inc. and John Kerr, enjoining them from communicating to prospective purchasers of Plaintiff's product either directly or indirectly that a purchase of Plaintiff's product could face infringement claims from Combotronics' Patent No. 4,042,149 with regard to the infringement issues litigated before this Court.

IT IS FURTHER ORDERED AND ADJUDGED that each party shall recover costs for those actions on which it prevailed.

DATED this 6<sup>th</sup> day of May, 1987.

  
\_\_\_\_\_  
JAMES O. ELLISON  
UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED

MAY 5 1987

AMERICAN STATES INSURANCE COMPANY, )

Plaintiff, )

vs. )

JEANNIE SWEENEY; MAXINE STONE; )

and RUSSELL COTTLE, )

Defendants. )

Jack C. Silver, Clerk  
U.S. DISTRICT COURT

Case No. 87-C-235 E

ORDER OF DISMISSAL

NOW, on this 4th day of May, 1987, this matter comes on before the undersigned Judge of the United States District Court on application of Plaintiff for dismissal of his Complaint In Interpleader.

The Court, being advised in the premises, finds that the Defendants have not entered an appearance in the case by agreement of the parties, and further finds that the parties have resolved their respective claims in and to the Plaintiff's policy proceeds and therefore finds that Plaintiff's Complaint In Interpleader should be and same is hereby dismissed without prejudice.

S/ JAMES O. ELLISON

-----  
JAMES O. ELLISON  
Judge of the United States  
District Court

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

No. 86-C-368-E

BILLY C. EVANS, JR., MARLENE  
FERN EVANS, STATE OF OKLAHOMA  
ex rel. DEPARTMENT OF HUMAN  
SERVICES, COUNTY TREASURER,  
CREEK COUNTY, OKLAHOMA, AND  
BOARD OF COUNTY COMMISSIONERS,  
CREEK COUNTY, OKLAHOMA,

Defendants.

FILED  
MAY 5 1987  
Jack C. Silver, Clerk  
U. S. DISTRICT COURT

DEFICIENCY JUDGMENT

NOW on this 5<sup>th</sup> day of May, 1987 there came on for hearing the Amended Motion of the Plaintiff United States of America for leave to enter a Deficiency Judgment herein, said Amended Motion being filed on the 14th day of April, 1987, and a copy of said Amended Motion being mailed to J. Richard Johnson, Jr., Attorney for Defendant, Billy C. Evans, Jr., 2121 South Columbia, Suite 470, Tulsa, Oklahoma 74114; Marlene Fern Evans, 1920 East 12th Street, Tulsa, Oklahoma 74104; and Dale Ray Gardner, Assistant District Attorney, State of Oklahoma, ex rel., Department of Human Services, Child Support Enforcement Unit, P. O. Box 1126, Sapulpa, Oklahoma 74066. The Plaintiff, United States of America, acting on behalf of the Administrator of Veterans Affairs, appeared by Layn R. Phillips, United States Attorney for the Northern District of Oklahoma through Peter Bernhardt, Assistant United States Attorney, and the Defendants, Billy C. Evans, Jr., and Marlene Fern Evans, appeared neither in person nor by counsel.

The Court upon consideration of said Amended Motion finds that the amount of the Judgment rendered herein on September 30, 1986, in favor of the Plaintiff United States of America, and against the Defendants, Billy C. Evans, Jr., and Marlene Fern Evans, with interest and costs to date of sale is \$45,362.97.

The Court further finds that the appraised value of the real property at the time of sale was \$24,900.00.

The Court further finds that the real property involved herein was sold at Marshal's sale, pursuant to the Judgment of this Court entered September 30, 1986, for the sum of \$22,092.00 which is less than the market value.

The Court further finds that the said Marshal's sale was confirmed pursuant to the Order of this Court on the 18th day of March, 1987.

The Court further finds that the Plaintiff, United States of America on behalf of the Administrator of Veterans Affairs, is accordingly entitled to a deficiency judgment against the Defendants, Billy C. Evans, Jr., and Marlene Fern Evans, as follows:

Principal Balance as of 01/15/87	\$35,880.01
Interest	8,466.13
Late Charges	279.60
Appraisal	233.10
Management Broker Fees	280.00
Court Costs	<u>224.13</u>
TOTAL	\$45,362.97
Less Credit of Appraised Value	- <u>24,900.00</u>
DEFICIENCY	\$20,462.97



plus interest on said deficiency judgment at the legal rate of 6.30 percent per annum from date of deficiency judgment until paid; said deficiency being the difference between the amount of Judgment rendered herein and the appraised value of the property herein.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the United States of America on behalf of the Administrator of Veterans Affairs have and recover from Defendants, Billy C. Evans, Jr., and Marlene Fern Evans, a deficiency judgment in the amount of \$20,462.97, plus interest at the legal rate of 6.30 percent per annum on said deficiency judgment from date of judgment until paid.

  
UNITED STATES DISTRICT JUDGE

FILED

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

MAY 5 1987

Jack C. Silver, Clerk  
U.S. DISTRICT COURT

CARROLL F. POTTER,  
Plaintiff,

vs.

GENERAL AMERICAN LIFE  
INSURANCE COMPANY, et al.,  
Defendants.

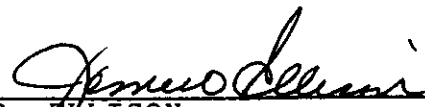
No. 85-C-545-E

JUDGMENT

This action came on for hearing before the Court, Honorable James O. Ellison, District Judge, presiding, and summary judgment having been rendered in favor of Defendants General American Life Insurance Company and Phillips Petroleum Company,

IT IS ORDERED AND ADJUDGED that the Plaintiff Carroll F. Potter take nothing from the Defendants General American Life Insurance Company and Phillips Petroleum Company, and that the Defendants General American Life Insurance Company and Phillips Petroleum Company, recover of the Plaintiff Carroll F. Potter their costs of action.

DATED at Tulsa, Oklahoma this 4<sup>th</sup> day of May, 1987.

  
JAMES O. ELLISON  
UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

LDS-TULSA, INC., and ST. PAUL  
MERCURY INSURANCE COMPANY,

Plaintiffs,

vs.

Case No. 85-C-562-B

SAM P. WALLACE, INC.,  
a corporation; CONTINENTAL  
MECHANICAL CORPORATION,  
a corporation; HENRY C. BECK  
COMPANY, a corporation;  
FLINTCO, INC., a corporation,  
d/b/a BECK-FLINTCO, a joint  
venture; and MINORU YAMASAKI  
& ASSOCIATES, a corporation,

Defendants.

STIPULATION OF DISMISSAL

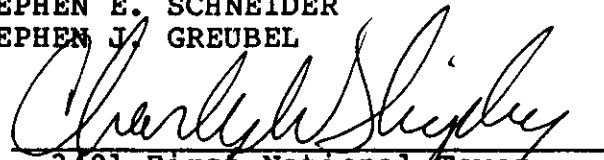
COMES NOW the plaintiff LDS-Tulsa, Inc. ("LDS") and, pursuant to Fed.R.Civ.P. 41(a)(1)(ii), dismisses its claims for relief against the defendants Continental Mechanical Corporation, Henry C. Beck Company and Flintco, Inc., d/b/a Beck-Flintco, a joint venture, with prejudice to refiling the same, and further dismisses its claims for relief against Minoru Yamasaki & Associates, a corporation ("Yamasaki"), without prejudice. Further, all parties hereby stipulate to the said dismissals.

Defendant Yamasaki does not, by stipulating to the said dismissals, consent or agree that LDS may refile its claims against Yamasaki in this Court or pursue the same in any other forum, but specifically reserves all of its defenses against the same.

It is expressly stipulated among all the parties that the rights, claims, and causes of action of St. Paul Mercury Insurance Company against Continental Mechanical Corporation, Henry C. Beck Company, Flintco, Inc. and Minoru Yamasaki & Associates are not waived and shall continue as against such defendants.

CHARLES W. SHIPLEY  
STEPHEN E. SCHNEIDER  
STEPHEN J. GREUBEL


By

  
3401 First National Tower  
Tulsa, Oklahoma 74103  
(918) 582-1720

ATTORNEYS FOR LDS-TULSA, INC.

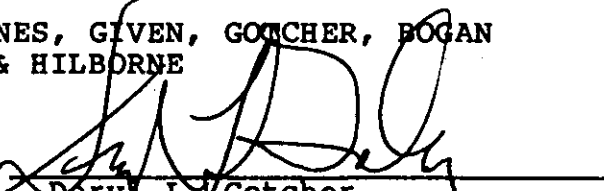
CLAUSEN, MILLER, GORMAN,  
CAFFREY & WITOUS, P.C.

By

  
Robert E. Gilmartin  
Gregory C. Rohlfing  
5400 Sears Tower  
Chicago, Illinois  
(312) 876-1900

JONES, GIVEN, GOTCHER, BOGAN  
& HILBORNE

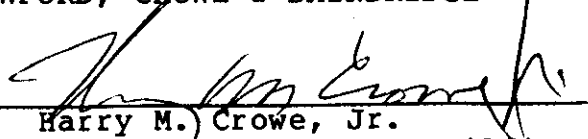
By

  
Deryl L. Gotcher  
Terrence Brennan  
3800 First National Tower  
Tulsa, Oklahoma 74103  
(918) 581-8200

ATTORNEYS FOR ST. PAUL MERCURY  
INSURANCE COMPANY

CRAWFORD, CROWE & BAINBRIDGE

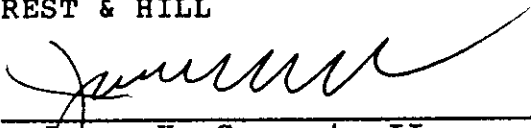
By

  
Harry M. Crowe, Jr.  
1714 First National Building  
Tulsa, Oklahoma 74103  
(918) 587-1128

ATTORNEYS FOR MINORU YAMASAKI  
& ASSOCIATES

SECREST & HILL

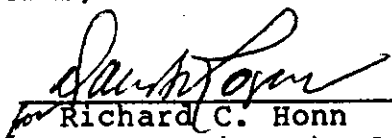
By

  
James K. Secrest, II  
1515 East 71st St., Suite 200  
American Federal Building  
Tulsa, Oklahoma 74136  
(918) 494-5905

ATTORNEYS FOR HENRY C. BECK  
COMPANY and FLINTCO, INC.  
d/b/a BECK-FLINTCO

ROGERS, HONN & ASSOCIATES

By

  
Richard C. Honn  
Twenty-Six Oaks Office Park  
2421 East Skelly Drive  
Tulsa, Oklahoma 74105  
(918) 744-4499

ATTORNEYS FOR CONTINENTAL  
MECHANICAL CORPORATION

CERTIFICATE OF MAILING

I hereby certify that on the 4 day of May, 1987, I mailed a true and correct copy of the foregoing instrument to:

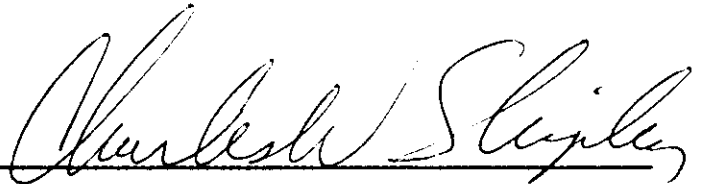
Harry M. Crowe, Jr.  
1714 First National Bldg.  
Tulsa, Oklahoma 74103

Gregory C. Rohlfing  
5400 Sears Tower  
Chicago, Illinois 60606

Richard C. Honn  
2421 East Skelly Drive  
Tulsa, Oklahoma 74105

Deryl L. Gotcher  
3800 First National Tower  
Tulsa, Oklahoma 74103

James K. Secrest, II  
American Federal Building  
1515 East 71st Street  
Tulsa, Oklahoma 74136

  
Charles W. Stepler

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

FILED

MAY 1 1987

John C. Smith, Clerk  
U.S. DISTRICT COURT

ELLEN E. HOUGHKIRK,

Plaintiff,

vs.

HARRY N. WALTERS, ADMINISTRATOR  
OF VETERANS AFFAIRS,

Defendant.

CIVIL ACTION NO. 86-C-18-E

O R D E R

This matter came on before the United States Magistrate acting as settlement judge on the 23rd day of January, 1987, at 10:00 a.m., for a settlement conference. The Plaintiff, Ellen E. Houghkirk, appeared in person and through her counsel of record, Louis Michael Thrasher and L. Richard Howard, and the Defendant, Administrator of Veterans Affairs, appeared by Peter Bernhardt, Assistant United States Attorney, and Ben Choate, Attorney, District Counsel's Office, Veterans Administration, Muskogee, Oklahoma.

Upon consideration of this matter and upon the agreement of the parties it is hereby ORDERED, ADJUDGED AND DECREED that the United States acting through the Veterans Administration shall pay to Plaintiff, Ellen E. Houghkirk, back pay from January 8, 1984, until the date of this Order to be computed as follows: Plaintiff shall be paid the difference between the GS grade and step at which she has been paid since January 8, 1984, and the GS grade and step she would have attained if she had been chosen for the Chief of Social Work Service position at the Veterans Administration Medical Center,

Muskogee, Oklahoma, including credits for all within grade step increases for which she would have been eligible, such credits to be figured as of the date of first eligibility for each within grade step increase, in accordance with the attached certificate of the Chief Fiscal Officers, VAMC, Muskogee.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that from and after the date of this Order the United States, acting through the Veterans Administration, shall pay to Plaintiff front pay in accordance with the GS grade and step to which she would be entitled if she had been chosen for the Muskogee position until such time as Plaintiff may be chosen for a GS-13 position or until her retirement, whichever is earlier. However, Plaintiff shall in addition thereto, receive all in-grade step increases; merit increases; cost of living pay increases; and other increases to which she would ordinarily be entitled during the course of her employment with the Veterans Administration and in retirement status.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Plaintiff's retirement pay shall be computed in accordance with the actual pay she has received regardless of her GS grade and step;

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the United States, acting on behalf of the Veterans Administration, shall make the government contributions to the civil service retirement fund on behalf of Ellen Houghkirk and that Plaintiff shall have the right to make the employee contributions as provided by law;

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Plaintiffs and Defendant shall bear their own costs and



attorneys' fees;

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the entry of this Order shall terminate Plaintiff's action in all respects, including but not limited to any possible request or motions for sanctions for failure to attend depositions and Defendant shall be relieved from any further obligations to respond to Plaintiff's requests for production and requests for admissions; and

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that upon the fulfillment of the conditions of this Order this Order shall constitute a final bar to the bringing of any claim, action or lawsuit by Plaintiffs, Ellen E. Houghkirk, against the Administrator of Veterans Affairs based upon the incident and ~~administration of Veterans Affairs based upon the incident and~~ *FB* facts alleged in Plaintiff's Complaint in the instant action.

Dated this 30<sup>th</sup> day of April, 1987.

**S/ JAMES O. ELLISON**

JAMES O. ELLISON  
United States District Judge

APPROVED AS TO FORM AND CONTENT:

UNITED STATES OF AMERICA

LAYNE R. PHILLIPS  
United States Attorney

PETER BERNHARDT  
Assistant United States Attorney

*Louis Michael Thrasher*  
LOUIS MICHAEL THRASHER  
Attorney for Plaintiff

*Ellen E. Houghkirk*  
ELLEN E. HOUGHKIRK

**Veterans  
Administration**

April 28, 1987

In Reply Refer To:

\* Peter Bernhardt  
Assistant United States Attorney  
3600 U. S. Courthouse  
333 West 4th Street  
Tulsa, OK 74103

Re: Ellen E. Houghkirk v.  
Harry N. Walters, Administrator  
of Veterans Administration  
Case No. 86-C-18-E  
U. S. District Court  
Northern District of Oklahoma

Dear Mr. Bernhardt:

I recomputed the difference in pay that Ellen Houghkirk made as Chief, Social Work Service at the VA Medical Center, Grand Island, Nebraska and what she would have made if she had been selected as Chief, Social Work Service at the VA Medical Center, Muskogee, Oklahoma, and the difference in pay is \$11,962.39. This figure covers from January 8, 1984 through May 1, 1987. It does not take into consideration any deductions for federal or state income tax withholdings.

Upon receipt of a Court Order, Mrs. Houghkirk's claim will be submitted to the General Accounting Office for payment.

Sincerely yours,

  
TOBY BROOKS  
Chief, Fiscal Service

COMPUTATION OF NET DIFFERENCE BETWEEN GS-12 AND GS-13 PAY FOR THE PERIOD 01-08-84 THRU 05-01-87:

[illegible]

ACTION	DATE	GS 12 RATES:				NET	GM 13 RATES				TOTAL	DIFF
		BASE	CSR	MEDICARE	FELI		BASE	CSR	MEDICARE	FELI		
PAY PERIOD 03	01-04-87	1,456.52	101.96	21.12	7.40	1,326.05	1,627.79	113.95	23.60	8.33	1,481.91	155.87
NET DIFFERENCE THRU 2-14-87											11,105.12	
PAY PERIOD 04	01-04-87	1,456.52	101.96	21.12	7.40	1,326.05	1,627.79	113.95	23.60	8.33	1,481.91	155.87
NET DIFFERENCE THRU 2-28-87											11,260.99	
PAY PERIOD 05	01-04-87	1,456.52	101.96	21.12	7.40	1,326.05	1,627.79	113.95	23.60	8.33	1,481.91	155.87
NET DIFFERENCE THRU 3-14-87											11,416.85	
PAY PERIOD 06	01-04-87	1,456.52	101.96	21.12	7.40	1,326.05	1,627.79	113.95	23.60	8.33	1,481.91	155.87
NET DIFFERENCE THRU 3-28-87											11,572.72	
PAY PERIOD 07	01-04-87	1,456.52	101.96	21.12	7.40	1,326.05	1,627.79	113.95	23.60	8.33	1,481.91	155.87
NET DIFFERENCE THRU 4-11-87											11,728.59	
PAY PERIOD 08	01-04-87	1,456.52	101.96	21.12	7.40	1,326.05	1,627.79	113.95	23.60	8.33	1,481.91	155.87
NET DIFFERENCE THRU 4-25-87											11,884.46	
PAY PERIOD 09 .4	01-04-87	728.26	50.98	10.56	3.70	663.02	813.90	56.97	11.80	4.17	740.96	77.93
NET DIFFERENCE THRU 5-1-87											11,962.39	

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

SOGELEASE CORPORATION, a  
Delaware Corporation,

Plaintiff,

vs.

DANO J. GARRETT and  
BRENDA K. GARRETT, a/k/a  
BRENDA MILLER GARRETT,  
individually and d/b/a  
ACTION IMAGES,

Defendants.

No. 87-C-33-C

**FILED**

**MAY 1 - 1987**

Jack C. Silver, Clerk  
U.S. DISTRICT COURT

ORDER OF DISMISSAL

Now on this 30 day of April, 1987, this cause comes on upon the stipulation for dismissal without prejudice filed by the parties herein and the Court having reviewed such stipulation finds that the case should be ordered dismissed.

IT IS THEREFORE ORDERED that the above styled and numbered case be and the same is hereby dismissed without prejudice and that each party should bear its own costs, attorney's fees and expenses incurred in this action.

(Signed) H. Dale Cook

\_\_\_\_\_  
JUDGE OF THE DISTRICT COURT